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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MICHAEL J. WANG,

Plaintiffs,

v.

**UNITED STATES MEDICAL LICENSE
EXAMINATION SECRETARIAT,**

Defendant.

C.A. No. 2:05-CV-01861 (JS)(ARL)

ELECTRONICALLY FILED

**NATIONAL BOARD OF MEDICAL EXAMINERS AND THE FEDERATION OF
STATE MEDICAL BOARDS' NOTICE OF MOTION
AND MOTION TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE that pursuant to Rule 12(b)(2),(4) and (5) of the Federal Rules of Civil Procedure, and upon the accompanying Memorandum of Law in support thereof, the National Board of Medical Examiners ("NBME") and the Federation of State Medical Boards ("FSMB"), the cosponsoring entities of the United States Medical Licensing Examination ("USMLE") will appear for the limited purpose of moving this Court before the Honorable Joanna Seybert, United States District Court Judge, on a date and at a time to be designated by the Court, at the United States Courthouse for the Eastern District of New York, 100 Federal Plaza Central Islip, New York 11722, for an Order granting their Motion to Dismiss the Complaint for lack of jurisdiction.

MOTION

Acting in a *pro se* capacity, Plaintiff Michael J. Wang has filed an action alleging, *inter alia*, unspecified violations of the United States and New York State Constitutions, and

asserting claims under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000(e) et seq., 42 U.S.C. §§ 1981, 1983, 1985, 1986 and New York State Human Rights Law, N.Y. Exec. Law §§ 290 et seq. NBME and FSMB, the cosponsoring entities of the USMLE, hereby appear for the limited purpose of moving to dismiss the Complaint pursuant to Federal Rules of Civil Procedure 12(b)(2),(4),(5) for lack of jurisdiction.

Respectfully submitted,

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Dated: May 10, 2005

Attorneys for National Board of Medical Examiners
and the Federation of State Medical Boards